

REMARKS

With regard to the requirement for restriction, applicant hereby provisionally elects to prosecute Group I, covering claims 42-58, and reserves the right to file a divisional application or to take such other appropriate measures as deemed necessary to protect the invention of Groups II and III.

With regard to the requirement for election, required by the Examiner as a consequence of the election of the invention of Group I, applicant hereby provisionally elects the species of claim 45. It is noted for the record that the present Office Action, though referring to the necessity of a species election, fails to provide any details with respect to the specific groups of claims that are subject to an election requirement. However, as the Examiner indicated during the telephone call of May 1, 2008 the necessity for an election requirement with respect to species I: claim 45, species II: claim 48, or species III: claim 55, and also affirmed this election requirement during a telephone call on July 14, 2007, applicant has made the necessary election, without traverse.

Applicant has fully and completely responded to the Official Action and has made the required election, so that this application is now in order for early action at least on the merits of claims 42-47, 49-54, 56-58.

With regard to the non-elected claims 48, 55, 59-70, 71-73, applicant does not waive any of his rights therefore or abandon such subject matter.

Respectfully submitted,

By: 

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